

Truth, Justice, and Information for All

The Official Newsletter of the Collin County Law Library

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www.co.collin.tx.us

JUL AUG SEP 2003





Research **Question of the** Day:

How can I find the changes made to an existing law by the recent Texas Legislature?

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To find the answer, turn to Page 6!

Patriot Day September 11th



Articles of Interest

"Practice Pointers: Daubert-Proofing Your Expert" John F. Nichols, Sr. and John F. Nichols, Jr., American Journal of Family Law v. 17, no. 2 (Summer 2003), p. 108-112.

This article provides background information about the *Daubert* decision and includes a discussion of the relevancy and reliability requirements set up by *Daubert*. The authors provide an excellent **checklist** to use as a guide when dealing with experts under Daubert.

"Relocation Litigation Here to Stay" Cynthia Rucker Allen, Texas Lawyer v. 19, no. 20 (July 21, 2003), p. 21-22.

This special report from Texas Lawyer discusses the difficulties facing clients who wish to relocate their residence after a divorce in which a geographical residence requirement has been imposed. Two key Texas court cases are highlighted: Lenz v. Lenz (2002) and Bates v. Tesar (2002). Lenz addresses the "best-interest-of-the-child standard" while Bates outlines various other factors to be considered when determining if relocation should be permitted.

"Talking Story in Trial: The Power of Narrative Persuasion" Sunwolf, Champion v. 24 (October 2000), p. 26-31.

This article was highlighted at the recent "A Day in the Life of a Criminal Defense Lawyer" seminar presented by the Texas Criminal Defense Lawyers Association in Allen last month. The author explains how critical the storytelling process can be when presenting your case at trial. It offers valuable advice and tips for persuasively tying the facts of your client's story together to make it more convincing and accessible to judge and jury.



Copies of these articles and the court cases mentioned above can be obtained from the Law Library. Just ask a law librarian! Call 972-424-1460 ext. 4260 or email: kgill@co.collin.tx.us



Page 2 Issue 2003-03



New on the Shelves...

The following titles have been added to the Collin County Law Library collection:



- 2004 Directory of Expert Witnesses & Consultants from National Law Journal Press
- Vernon's Texas Session Law Service, 2003 covering laws passed by all sessions of the 78th Legislature
- Family Law Depositions by John Nichols, from Juris Publishing, Inc.
- Texas Probate System, 3rd rev. ed. With forms on CD-ROM from the State Bar of Texas
- Voice for the Defense a periodical from the Texas Defense Lawyers Association
- The Matrimonial Strategist a family law newsletter from American Lawyer Media *Be sure to read our review of this publication in the September 2003 issue of *Bar Tabs*, the newsletter of the Collin County Bar Association
- Miller's Standard Insurance Policies Annotated from Legal Research Systems, Inc.
- O'Connor's Federal Civil Forms 2003-2004 edition
- O'Connor's Federal Rules, Civil Trials 2003 edition
- O'Connor's Texas Rules of Evidence Handbook, 5th edition, 2003

And finally...

• O'Connor's Probate Code Plus 2003-2004 - a brand new publication from Jones McClure's acclaimed O'Connor's series of annotated codes!



For assistance in finding these new titles, just ask a law librarian!

Call 972-424-1460 ext. 4255 or email: jmccullough@co.collin.tx.us





Check It Out: The Law Library Video Collection

Did you know that the Collin County Law Library has several video tapes available for check-out to attorneys? Some of the titles in the collection are:

- Understanding a DWI Trial The Courtroom Video Library
- Gerry Spence in Trial
- Preparing the Witness for a Criminal Trial Knowles Publishing
- Preparing the Witness for a Deposition Knowles Publishing

Videos can be checked out for three days at a time. Ask a Librarian for more details.





Online Research Tips and Tricks



Using ResultsPlus in Westlaw

You can **reduce your research time** by making use of a new feature in Westlaw called *ResultsPlus*.

The following is an excerpt from:
"Results with Extra Mileage"

Mike Dahn, Law Librarians in the New Millennium v. 5, no. 3 (May/June 2003), p. 1, 8.

"As of June 28, 2003, when you run a case law search on Westlaw via westlaw.com, you retrieve ResultsPlus with your search results. ResultsPlus brings you relevant West key numbers to help you immediately hone in on all of the relevant cases in any jurisdiction...

"For most case law searches, ResultsPlus provides one or more relevant key numbers ... next to your search result. By clicking a key number supplied by ResultsPlus, you can access relevant ... cases very quickly, even those not retrieved with your query."

Westlaw is available in the Law Library at the Attorney Workstation. For more assistance using ResultsPlus in Westlaw, just ask a law librarian!

Saving and Editing Matthew Bender Authority Documents in Word

You can save forms from Matthew Bender's Authority on Demand online database into Microsoft Word documents for editing. This will allow you to then **edit the form** in Word, inserting your client's information. Here's how to do it:

- 1. Open Microsoft Word and open a new document.
- 2. Using the mouse, highlight the text of the form in Bender you want to copy.
- 3. Click on "Copy" from the browser's Edit menu at the top of the screen.
- 4. Open your Word document and click on "Paste Special" from the Edit menu at the top.
- 5. Select "Unformatted Text" from the pop-up window and click "Ok."



Now you can re-format and edit the form as you wish, inserting your information!



View This Newsletter Online!

Collin County Law Library
www.co.collin.tx.us

Click on "Law Library" under the Departments menu.

Texas Judge www.texasjudge.com

Click on "Law Library" on the right-hand sidebar.

Page 4 Issue 2003-03

Library News

Law Library Launches Web Site

The Collin County Law Library is pleased to announce the launch of its web site. That's right! The Law Library can now be accessed online via the Collin County web site at:

www.co.collin.tx.us

The web site will remain a work in progress as we will be frequently updating it to include the various handouts and research tools produced by the Law Library to assist patrons in finding information.

The current issue of this newsletter will also be available as well as information regarding library hours and policies.

To visit us on the Web, go to the web site address printed above and click on "Departments" on the left-hand side bar. Select "Law Library" from the department listing.

Let us know what you think!

Law Librarians Attend Conferences

The librarians at the Collin County Law Library participated in their own continuing education seminars this summer.

Judy McCullough, the Director of the Law

Library, attended the American Association of Law Libraries annual meeting in Seattle, Washington in July. Meeting highlights included a workshop about dealing with pro se litigants in the law library and a presentation on the effects of the USA PATRIOT Act on wiretapping. An informative research guide to the history of wiretapping was provided to conference attendees and is available in the Law Library.

Katy Gill, the Assistant Law Librarian, attended the Texas Criminal Defense Lawyers Association seminar, "A Day in the Life of a Criminal Defense Lawyer," last month. Attendance at these seminars and conferences helps the librarians to anticipate and stay abreast of issues facing the library and its patrons in order to provide better services.

Important Notice!

The Law Library is considering discontinuing its subscriptions to some of the materials from the collection in order to enable the library to acquire new titles. Some of these titles will be removed entirely from the collection, while others will be discontinued but the existing volumes will remain on the shelves.

The following titles are being considered for discontinuation but will remain on the shelves:

- American Jurisprudence Proof of Facts
- American Jurisprudence Trials
- Americans with Disabilities Act Practice and Compliance Manual
- Words and Phrases

The following titles are being considered for discontinuation and removal from the shelves:

- Bankruptcy Digest
- Bankruptcy Reporter

If you would like for the Law Library to continue subscribing to any of the materials listed above, please contact Judy McCullough at 972-548-4255.

Internet Spotlight

The Constitution Society www.constitution.org

This site offers a thorough examination of the Constitution of the United States as well as a discussion of key issues surrounding our constitution. What makes this site most valuable is its extensive **collection of online resources** pertaining to the creation, evolution, and interpretation of constitutional law both nationally and globally.

Legal Affairs www.legalaffairs.org

This site displays the current issue of *Legal Affairs*, a publication dedicated to stirring lively discussion and critical thinking about current issues concerning the law. Topics include "everything from the increasingly political nature of state courts, to the role of adoption in settling disputes in Micronesia"

Copyright & Fair Use http://fairuse.stanford.edu

This web site, offered by the Stanford University Libraries, provides an excellent discussion and breakdown of the factors used to determine **what is fair use** under the copyright law. There is also a substantial listing of references dealing with this topic.

The opinions expressed on these web sites are not representative of those of Collin County or the Collin County Law Library.

New State Bar Act Passed by 78th Legislature

H.B. 599

The new State Bar Act was recently passed by the 78th Legislature during the Regular Session. In particular, this bill makes sweeping changes to the attorney grievance process. You can view the text of HB 599 on *Texas Legislature Online*, the official web site of the Texas Legislature at:

www.capitol.state.tx.us.

Enter the bill number and session under "Bill Status" and click "Go."

Need Some Help?

Here's how to contact a law librarian at the Collin County Law Library:

Judy McCullough 972-424-1460 ext. 4255 jmccullough@co.collin.tx.us Katy Gill 972-424-1460 ext. 4260 kgill@co.collin.tx.us Page 6 Issue 2003-03

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How can I find changes to an existing law made by the recent Texas Legislature?

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Answer:

Now that the 78th Regular Session of the Texas Legislature has ended, it's time to find out what changes have been made to the existing laws we cite on a regular basis.

To do this, simply go to *Texas Legislature Online*, the official web site of the Texas Legislature, at:

www.capitol.state.tx.us

Click on "Index to Sections." This will take you to a new screen where you can search for the changes.

Under "Search by Code," choose the 78th Legislature, Regular Session and then choose which code you want to look at. Next enter the chapter or section of the code that you want to see. Finally, select the "Enrolled Version" and click the "Search" button.

If any changes have been made to the code section, the bills effecting the changes will be listed. Simply click on the bill you wish to view.

The Law Library has prepared a research tool entitled "Finding Changes to a Law Using Texas Legislature Online" to assist you in this process. Copies of this handout are available in the Law Library.

For further assistance in finding changes to a Texas law, just ask a law librarian!

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Fun Lexis-Nexis Factoids

Compiled by Tracy Holthaus, Lexis-Nexis October 31, 2002

• Content in the LexisNexis Collection:

Sources online: 34,917

Searchable documents online: over 4 billion Searchable documents added per day: 0.2 million

Oldest case: around 1793

- If you sat in front of your computer screen and spent just 5 seconds skimming over every screen covering all the data LexisNexis has online, spending 24 hours a day, you would need over 121,100 days to skim all the information.
- Another way to look at how much data LexisNexis has online: If you printed out the data on standard letter paper, the stack would be over 418,700 feet high. That's equivalent to more than 14 Mt. Everests, one on top of the other.
- Lexis is a coined name, patterned after the Latin, lex, for law. Lexis was established in 1973. Nexis was established in 1979.
- There is a recycling program at LexisNexis.



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Stu's Views

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This Court is aware of Witness's enthusiasm for the size of his pickup truck.

But, hereafter, you will refrain from statements that you "won" the accident.